

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Bates
Title: TIME RECORDING AND
MANAGEMENT SYSTEM
Appl. No.: 10/763,832
Filing Date: 01/23/2003
Examiner: Cheryl Lewis
Art Unit: 2167

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to the
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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, David J. Bates, state and declare that:

1. I am the inventor of claims 1-23 of U.S. Patent Application No. 10/763,832 titled "TIME RECORDING AND MANAGEMENT SYSTEM" (hereinafter "the '832 application").
2. Prior to the July 26, 2002, the filing date of U.S. Patent Application Serial No. 10/205,204, I conceived and reduced to practice in the United States, the ideas set forth in the above-listed claims in the '832 application and described in the '832 application as evidenced by the attached Exhibit.
3. The attached entire Exhibit (including the sheets labeled "FIG. 3", "FIG. 6", "FIG 8", "FIG. 9", "EXHIBIT E", "EXHIBIT F", "EXHIBIT G", "EXHIBIT B", "EXHIBIT C" AND EXHIBIT D") is an exact copy of the redacted screenshots included in US provisional application serial number 60/442,145, from which the present application claims priority. Each of the screenshots of the entire Exhibit was taken from a spreadsheet and associated macros, which were reduced to practice before July 26, 2002. The sheet labeled

"FIG. 3" indicates that the daily timesheet is for the fiscal year 2002, which in the particular circumstance ended on January 31, 2003. The sheet labeled "FIG. 8" further indicates reduction to practice and use of the illustrated spreadsheet and associated macros as early as February 2002. Note that time values were calculated for the entire month of February 2002. The sheet labeled "FIG. 9" further evidences use of the spreadsheet and macros as early as February 2002. The sheets labeled "EXHIBIT E", "EXHIBIT F", and "EXHIBIT G" (labels from the provisional application (60/442,145)) illustrate software code for the macros. This software code was used to generate the numerical values and other items shown in cells of the screen displays depicted in the above-described Figs. 3, 8 and 9. The sheets labeled "EXHIBIT B", "EXHIBIT C" and "EXHIBIT D" (labels from the provisional application (60/442,145)) illustrate formulas (including associated function calls and links) in the cells of the spreadsheet. These are the same formulas used to generate the numerical values and other items shown in the cells of the screen displays depicted in the above-described Figs. 3, 8 and 9.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date February 1, 2007

By 
David J. Bates

XXX.XXXXXX.XA

FIG. 9

16

[illegible]

```
Sub InsertTime()  
,  
' Macro1 Macro  
' Macro recorded 2/13/2001 by  
,  
' Keyboard Shortcut: Ctrl+x  
,  
CurrRow = ActiveCell.Row  
CurrCol = ActiveCell.Column  
If CurrRow < 8 Then Exit Sub  
If CurrCol = 1 Then  
    Cells(10000, 1).Select  
    ActiveCell.End(xlUp).Select  
    If ActiveCell.Value = Date Then  
        TodayStarted = True  
        MsgBox "Today has already been started. Nothing to do."  
        Exit Sub  
    Else  
        TodayStarted = False  
        Cells(ActiveCell.Row, 4).Select  
        Do While Cells(ActiveCell.Row + 1, 4).Value > 0  
            Cells(ActiveCell.Row + 1, 4).Select  
        Loop  
        Cells(ActiveCell.Row + 3, 1).Select  
        ActiveCell.Value = Date  
        ActiveCell.Offset(0, 1).Select  
        CurrCol = 2  
    End If  
End If  
Select Case CurrCol  
Case 2  
    If ActiveCell.Value <> "" And ActiveCell.Value <> ActiveCell.Offset(-1, 1).Value And  
ActiveCell.Offset(-1, 1).Value <> "" Then  
        ActiveCell.Value = ActiveCell.Offset(-1, 1).Value  
    Else  
        ActiveCell.FormulaR1C1 = "=NOW()-TRUNC(NOW())"  
        Selection.Copy  
        Selection.PasteSpecial Paste:=xlValues, Operation:=xlNone, SkipBlanks:=  
        False, Transpose:=False  
        ActiveCell.Offset(0, 1).Activate  
        ActiveCell.Value = ActiveCell.Offset(0, -1).Value + 1 / (10 * 24)  
    End If  
Case 3  
    SystemHour = Hour(Time)  
    SystemMinute = Minute(Time)  
    SystemTime = (SystemHour / 24) + (SystemMinute / (60 * 24))
```

EXHIBIT E

```

TimeDiff = Abs(SystemTime - ActiveCell.Offset(0, -1).Value)
If TimeDiff < 1 / (60 * 24) Then
    ActiveCell.Value = ActiveCell.Value + 1 / (10 * 24)
Else
    ActiveCell.FormulaR1C1 = "=NOW()-TRUNC(NOW())"
    Selection.Copy
    Selection.PasteSpecial Paste:=xlValues, Operation:=xlNone, SkipBlanks:= _
        False, Transpose:=False
End If
Case 5, 6, 7, 8
    If Cells(CurrRow, 5) = "" And Cells(CurrRow, 6) = "" And Cells(CurrRow, 7) = "" And
Cells(CurrRow, 8) = "" Then
        Range(Cells(CurrRow, 5), Cells(CurrRow, 7)).Value = Range(Cells(CurrRow - 1, 5),
Cells(CurrRow - 1, 7)).Value
    Else
        Cells(10000, 1).Select
        ActiveCell.End(xlUp).Select
        CurrDate = Date
        If ActiveCell.Value = CurrDate Then
            TodayStarted = True
        Else
            TodayStarted = False
        End If

        Cells(ActiveCell.Row, 4).Select
        Do While Cells(ActiveCell.Row + 1, 4).Value > 0
            Cells(ActiveCell.Row + 1, 4).Select
        Loop

        If TodayStarted Then
            NewRow = ActiveCell.Row + 1
            NewCol = 2
        Else
            NewRow = ActiveCell.Row + 3
            NewCol = 1
            Cells(NewRow, NewCol).Select
            ActiveCell.Value = Date
            ActiveCell.Offset(0, 1).Select
        End If

        Cells(NewRow, 2).Select
        ActiveCell.FormulaR1C1 = "=NOW()-TRUNC(NOW())"
        Selection.Copy
        Selection.PasteSpecial Paste:=xlValues, Operation:=xlNone, SkipBlanks:= _
            False, Transpose:=False
        ActiveCell.Offset(0, 1).Activate

```

EXHIBIT E

Selection.PasteSpecial Paste:=xlValues

If CurrCol = 8 Then

Range(Cells(NewRow, 5), Cells(NewRow, 8)).Value = Range(Cells(CurrRow, 5),
Cells(CurrRow, 8)).Value

Else

Range(Cells(NewRow, 5), Cells(NewRow, 7)).Value = Range(Cells(CurrRow, 5),
Cells(CurrRow, 7)).Value

End If

End If

End Select

Application.CutCopyMode = False

End Sub

EXHIBIT F

Public FormCancelled As Boolean
 Public ReportOption As Integer
 Public NextRow As Integer

Sub TotalTime()
 ,

' Macro1 Macro

' Macro recorded 02/13/2002 by David Bates
 ,

ReportOption = 0
 Load TimeUpdtRptGnrt
 TimeUpdtRptGnrt.Show
 TimeUpdtRptGnrt.Hide
 Unload TimeUpdtRptGnrt

If ReportOption = 0 Then Exit Sub

Sheets("Daily Timesheet").Select

CurrRow = ActiveCell.Row

CurrCol = ActiveCell.Column

NextRow = CurrRow

Select Case ReportOption

Case 0

Exit Sub

Case 1, 2, 4

NextRow = HandleOneDay(NextRow)

Case 3

NextRow = 10000

Cells(NextRow, CurrCol).Select

Do While NextRow > 8

NextRow = HandleOneDay(NextRow)

Loop

End Select

Cells(CurrRow, CurrCol).Select

End Sub

Function HandleOneDay(xRow)

Sheets("Daily Timesheet").Select

Cells(NextRow, 1).Select

If Cells(ActiveCell.Row, 1).Value = "" Then

ActiveCell.End(xlUp).Select

End If

CurrDate = ActiveCell.Value

UpperRow = ActiveCell.Row

LowerRow = UpperRow

Do While Cells(LowerRow + 1, 4).Value > 0

E111917 F

```

LowerRow = LowerRow + 1
Loop
NextRow = UpperRow - 2

Range("B" + Format(UpperRow) + ":" + "K" + Format(LowerRow)).Select
Selection.Sort Key1:=Range("E" + Format(UpperRow)), Order1:=xlAscending,
Key2:=Range("F" + Format(UpperRow) _
), Order2:=xlAscending, Header:=xlNo, OrderCustom:=1, MatchCase:=False _
, Orientation:=xlTopToBottom

If Cells(1, 10).Value = "TAR" Then
    TARMethod = True
Else
    TARMethod = False
End If

TotalHours = 0
TotalBill = 0
TotalNonBill = 0
SubTotalHours = 0
For x = UpperRow To LowerRow
    SubTotalHours = SubTotalHours + Cells(x, 4).Value
    If Cells(x, 7).Value = "N" Or Cells(x, 7).Value = "n" Then
        NonBill = True
        Cells(x, 9).Value = "--"
        Cells(x, 10).Value = Cells(x, 4).Value
    Else
        NonBill = False
        Cells(x, 9).Value = Cells(x, 4).Value
        Cells(x, 10).Value = "--"
    End If

    If Cells(x, 5).Value <> Cells(x + 1, 5).Value Or Cells(x, 6).Value <> Cells(x + 1, 6).Value Or
    Cells(x, 7).Value <> Cells(x + 1, 7).Value Or x = LowerRow Then
        If TARMethod Then
            SubTotalHours = Application.WorksheetFunction.Ceiling((SubTotalHours - 1 / 60), 0.1)
        End If
        If NonBill Then
            TotalNonBill = TotalNonBill + SubTotalHours
        Else
            TotalBill = TotalBill + SubTotalHours
        End If
        TotalHours = TotalHours + SubTotalHours
        If ReportOption = 2 Then
            Cells(x, 11).Value = ""
        Else

```

EXH1817 F

```

        Cells(x, 11).Value = SubTotalHours
    End If
    SubTotalHours = 0
    If ReportOption <> 2 Then
        Range(Cells(x, 1), Cells(x, 11)).Select
        DrawBottomLine (True)
    End If
Else
    Cells(x, 11).Value = ""
End If
Next x

If ReportOption = 2 Then
    Range(Cells(LowerRow + 1, 9), Cells(LowerRow + 1, 11)).Font.Bold = False
    Cells(LowerRow + 1, 9).Value = ""
    Cells(LowerRow + 1, 10).Value = ""
    Cells(LowerRow + 1, 11).Value = ""
Else
    Range(Cells(LowerRow + 1, 9), Cells(LowerRow + 1, 11)).Font.Bold = True
    Cells(LowerRow + 1, 9).Value = TotalBill
    Cells(LowerRow + 1, 10).Value = TotalNonBill
    Cells(LowerRow + 1, 11).Value = TotalHours
End If

Sheets("2002").Select
Cells(4, 2).Select
MatchingRow = 4
Do While Cells(MatchingRow, 2).Value <> CurrDate
    MatchingRow = MatchingRow + 1
    If MatchingRow > 400 Then
        MsgBox "Unable to update time because day match not found" + Chr(13) & Chr(10) +
        "Dates must be entered with four digit years, e.g., 1/1/2002"
        Exit Do
    End If
Loop
Cells(MatchingRow, 3).Value = TotalBill
Cells(MatchingRow, 4).Value = TotalNonBill

Sheets("Daily Timesheet").Select
Range("A" + Format(UpperRow) + ":" + "K" + Format(LowerRow)).Select
If ReportOption = 2 Then
    RemoveAllLines (True)
    Range("B" + Format(UpperRow) + ":" + "K" + Format(LowerRow)).Select
    Selection.Sort Key1:=Range("B" + Format(UpperRow)), Order1:=xlAscending,
    Header:=xlNo, _
    OrderCustom:=1, MatchCase:=False, Orientation:=xlTopToBottom

```

EXHIBIT F

```

Else
    DrawThickBorder (True)
End If

If ReportOption = 1 Then
    Dim printRange As String
    printRange = "A" + Format(UpperRow) + ":" + "K" + Format(LowerRow + 1)
    With Worksheets("Daily Timesheet")
        .PageSetup.PrintArea = printRange
        .PrintOut
    End With
End If

HandleOneDay = UpperRow - 2
End Function

Function DrawBottomLine(DrawBottom)
With Selection.Borders(xlEdgeBottom)
    .LineStyle = xlContinuous
    .Weight = xlThin
    .ColorIndex = xlAutomatic
End With
End Function

Function RemoveAllLines(RemoveLines)
Selection.Borders(xlDiagonalDown).LineStyle = xlNone
Selection.Borders(xlDiagonalUp).LineStyle = xlNone
Selection.Borders(xlEdgeLeft).LineStyle = xlNone
Selection.Borders(xlEdgeTop).LineStyle = xlNone
Selection.Borders(xlEdgeBottom).LineStyle = xlNone
Selection.Borders(xlEdgeRight).LineStyle = xlNone
Selection.Borders(xlInsideVertical).LineStyle = xlNone
Selection.Borders(xlInsideHorizontal).LineStyle = xlNone
End Function

Function DrawThickBorder(Border)
With Selection.Borders(xlEdgeBottom)
    .LineStyle = xlContinuous
    .Weight = xlThick
    .ColorIndex = xlAutomatic
End With
With Selection.Borders(xlEdgeTop)
    .LineStyle = xlContinuous
    .Weight = xlThick
    .ColorIndex = xlAutomatic
End With

```

EXHIBIT F

```
With Selection.Borders(xlEdgeLeft)
.LineStyle = xlContinuous
.Weight = xlThick
.ColorIndex = xlAutomatic
End With
With Selection.Borders(xlEdgeRight)
.LineStyle = xlContinuous
.Weight = xlThick
.ColorIndex = xlAutomatic
End With
End Function
```

EXHIBIT G

```
Private Sub cmdCloseDailyTime_Click()  
ReportOption = 4  
TimeUpdtRptGnrt.Hide  
Unload TimeUpdtRptGnrt  
End Sub
```

```
Private Sub cmdCloseTimePmtRprt_Click()  
ReportOption = 1  
TimeUpdtRptGnrt.Hide  
Unload TimeUpdtRptGnrt  
End Sub
```

```
Private Sub cmdUpdtTmWORprt_Click()  
ReportOption = 2  
TimeUpdtRptGnrt.Hide  
Unload TimeUpdtRptGnrt  
End Sub
```

```
Private Sub cmdUpdtAndCloseAllTm_Click()  
ReportOption = 3  
TimeUpdtRptGnrt.Hide  
Unload TimeUpdtRptGnrt  
End Sub
```

```
Private Sub cmdCancelForm_Click()  
ReportOption = 0  
TimeUpdtRptGnrt.Hide  
Unload TimeUpdtRptGnrt  
End Sub
```

EXHIBIT B

Microsoft Excel - 6119181.V - 992800701 - TAR User Spreadsheet									
File Edit View Format Tools Data Window Help									
A	B	C	D	E	F	G	H	I	J
AC701									
1	Header	Item	Unit	Locality	Unit	Locality	Unit	Locality	Unit
2	Item: 1700		160						
3	Set Loc: 4 - CONREP (C040A, 200219545-595338)		-4 - CONREP (C040A, 200219545-595338)						
4	Tar Loc: 401.85		<C>C3						
5	Locity: 4 - CONREP (C040A, 200219545-595338)		-4 - CONREP (C040A, 200219545-595338)						
6				Total					
7				145152			145152		
8					Unit				
9					145152				
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EXHIBIT C

[illegible]

EXHIBIT D

c:\psm\Excel - #11718701.v - 993800/301 - TAR Time Spreadsheet
 File Edit View Insert Format Tools Data Window Help
 [Toolbar icons: Undo, Redo, Cut, Copy, Paste, Find, Print, Bold, Italic, Underline, Text Color, Fill Color, Font Size, Paragraph, Styles, AutoSum, Sort, Filter, etc.]
 F2521 [Cell Address Bar] = 101
 Projected Billable Hours Using 365 Working Days: =LOOKUP(TODAY(),2002!\$Y\$4:\$Z\$368)
 Projected Billable Hours Using Actual/Anticipated Working Days: =LOOKUP(TODAY(),2002!\$B\$4:\$H\$368)
 Average Daily Pace So Far Using Actual Working Days: =LOOKUP(TODAY(),2002!\$B\$4:\$H\$368)/LOOKUP(TODAY(),2002!\$B\$4:\$H\$368)
 Average Daily Pace Needed Using Anticipated Working Days: =LOOKUP(TODAY(),2002!\$B\$4:\$H\$368)

Description	B
	4.9
draft application	0.81271388823055
Office conf w/ [redacted] re: subscription agreement and P definitions	0.5419136389346208
Draft subscription agreement addendum definitions	0.828732777778143
mtg w/ [redacted] & [redacted] re: strateg & export reports	6.48254722228736
Report search results	0.5
Review [redacted] draft application	9.3
draft reply	0.609122222231295
draft application	1.1799472222382
draft application	1.19426111108623
Review & revise Investor letter	0.412644444493165
mtg w/ draftperson	0.475961111078504
draft application, meeting w/ draftperson	1.30774444446433
	5.2
draft application	0.296947222261224
T/c w/ [redacted] re: disclosure	0.5587444444463623
	1.3328055547038
Attend Presentation/Meeting	1.72503888887859
	1.20653611101917
	2.79515033337791
	9.2

chh\INTRO Daily Timesheet / 2002 / Project Status / 2001 / 2002 / 2004 /
 [Taskbar icons: Internet Explorer, Outlook, Word, PowerPoint, etc.]

